

REMARKS

At the outset, applicants would like to thank Examiner McIntosh and Supervisory Patent Examiner Wilson for their time and consideration of the present application at the interview held on June 30, 2004 with the undersigned attorney. At the interview, the issues raised in the outstanding Official Action were discussed. As noted in the Interview Summary of that date, applicants have amended the claims to place the application in condition for allowance.

In the outstanding Official Action, claim 19 was rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claim 7 of co-pending application No. 09/913,596. Applicants believe that the present amendment obviates this rejection.

In imposing the rejection, the Official Action alleged that co-pending application No. 09/913,596 was directed to cellulose and that the present application was drawn to carbohydrates or steroids. As cellulose is a carbohydrate, the Official Action alleged that the conflicting claims were not patentably distinct from each other.

However, applicants note that claim 19 has been amended to recite a process for oxidizing a polysaccharide selected from the group consisting of alpha-glucans, mannans, galactans, and

fructans. As a result, applicants believe that the present amendment obviates the double-patenting rejection.

Claims 19-32 and 37-39 were rejected under 35 USC 112, first paragraph, for allegedly failing to comply with the written description requirement. Applicants believe that the present amendment obviates this rejection.

As noted above, claim 19 has been amended to recite a process for oxidizing a polysaccharide selected from the group consisting of alpha-glucans, mannans, galactans, and fructans. The remaining polysaccharides are comparable in that they are more or less water-soluble, like starch and pullulan, and unlike cellulose, and thus are expected in experience to have similar behavior as an oxidation substrate. We believe that the illustration of the different members from this group such as starch and pullulan provide reasonable support for the claimed group.

As claims 25-26 and 39 have been cancelled, applicants believe that the rejections pertaining to these claims have been obviated.

Thus, in view of the present amendment and the foregoing remarks, applicants believe that this application is in condition for allowance, with claims 19-24, 27, 31-32, and 37-38, as presented. Allowance and passage to issue on this basis is respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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